

Chmijo NO Oct 10/02
ORIGINAL

FILED

May 7 2002

CLERK, U.S. DISTRICT COURT
By _____ Deputy

3:01-CV-01301-L

In the United States District Court for the Northern District of Texas

Dallas Division

(USA and)
Jamal Elhaj-Chehade
Co- plaintiff

Vs.
Educational Commission for Foreign Medical Graduates
(entities and individuals) defendants

Plaintiff's motion for an emergency hearing in the courtroom for the assessment of the plaintiff's needs as a pro-se. And plaintiff's supplemental request to vacate the court order dated April 29, 2002.

May 7, 2002

Comes now on this date, May 7 2002 this should serve as a supplement to the plaintiff's previous filings on April 30, 2002 and On May 3, 2002 to vacate the court order dated April 29, 2002. and this should serve as the **plaintiff's new motion for an emergency** hearing to have an assessment and accommodation and appointed by the defendants as follow:

1-On April 11, 2002 at 1:03 PM, the defendants attorney admitted to the long existing **Ex-Parte Communications** between the defendants and the courts (that altered and still do, the course of the proceedings and the outcomes of all the plaintiff cases against the defendants ECFMG and against UTSW et al).

2- the plaintiff, having raised the issues of EX_parte Communications, demanded that before any court order. A hearing in the presence of **both** the plaintiff and the defendants(or their attorneys) be conducted in the court in which each side will have the opportunity to present his side. The plaintiff was not present and was not informed of any such hearing and the court order is thus deemed null, void and must be Vacated immediately and failure to do so, the plaintiff is moving for the removal of the judges.

3- the plaintiff is demanding a reconsideration of the matter by an emergency hearing of the plaintiff's requests. The court hearing will focus upon the matter of lack of the willingness of the defendants to assess and accommodate the plaintiff's NEEDS and fulfill their duties toward the plaintiff in accordance with their charter acquired under 501-C-3- and otherwise.

Citations

On August 31, 2000, The defendants filed their income tax for the year 1999. admitting to be an exempt organization because the ECFMG is an organization committed for life to the promotion , the benefit and the excellence and the advancement of the plaintiff... by identifying, and assessing the plaintiff's NEEDS and to accommodate those NEEDS

The plaintiff's is tentatively a Pro-se; A pros-e is a disadvantage, a handicap and a minus. Every Minus creates **NEEDS**. Since it is the responsibility and the duty of the defendants to assess and identify and accommodate those Plaintiff's NEEDS, the plaintiff is hereby reaffirming his request of April 30, 2002 to have the defendants assess those needs and accommodate them appropriately and adequately and fully by allocating the plaintiff an adequate and proper legal representation that meets the plaintiff's NEEDS. Therefore the plaintiff's requests for legal representation is a **legal right** in this case and it is an **urgent NEED** that must be assessed, and accommodated properly **before any further proceeding**.

Arguments

The plaintiff requests to have an appropriate and adequate counsel that meets the **plaintiff's NEEDS is a legal right and claim.** *The purpose of this current and urgent motion is not to have the court appoint a counsel but rather to pinpoint the refusal of the defendants to perform their obligations and duties toward the plaintiff as to assess and accommodate the plaintiff's NEEDS starting with his urgent NEEDS of legal representation.*

During the hearing, the court will not appoint a counsel but rather the court must address the questions and answers in that manner:

1-Q: Does the plaintiff, being a pro-se is a disadvantage or a minus and thus creates

Plaintiff's NEEDS? –

A: the answer is yes.

2- Q: Whose responsibilities and duties to identify, assess and accommodate those
Plaintiff's NEEDS?

A: The defendants ECFMG do have the duty and responsibility to properly and Adequately assess and accommodate those Needs. The defendants already admitted to such duties to the US governments thereby meeting more than the FRCP and all rules of evidence.

3- Q: Are the ECFMG Properly and adequately assessing and accommodating those Plaintiff's NEEDS?

A: The Answer is No. The defendants admitted On April 26, 2002 in their filing to the court of their opposition to any assessment and accommodation to the **Plaintiff's NEEDS**, and the defendants ECFMG made their language clear of their Intentions to refuse to assess the plaintiff's needs and refuse to accommodate them and the defendants made their language clear of their intentions to crush the plaintiff and keep the plaintiff at permanent disadvantages without an proper and adequate accommodation despite the **plaintiff legal right**.

THEN the court will have THREE OPTIONS:

- 1- **Option 1:** the court appoint a counsel to the plaintiff pursuant to FRCP rule 706-b paid by the ECFMG. However the plaintiff reserves the right to refuse or accept such step because it is the responsibility of the ECFMG defendants not the court to assess the plaintiff NEEDS and Accommodate them.
- 2- **Option 2 :** the court may decide to ask the defendants to start assessing the plaintiff's Needs and accommodate them. But again the plaintiff may oppose such step because the defendants already made their languages clear of their intentions to keep the plaintiff at a permanent disadvantage and there is a **lack of trust between**

the parties and that the evidences speak for themselves as **judgment must be in favor of the plaintiff.**

- 3- **Option 3:** The court realizes that it has been more **than Fifteen days** since the plaintiff initially requested the assessment and accommodation of his NEEDS; and that the defendants repetitive and firm language is clear as to leave no room for doubt(or the alternative) of their refusal to **fully, and properly and adequately** assess and accommodate the plaintiff NEEDS.. Therefore, the Court Must move this case and judgment must be entered against the defendants into the **Plaintiff's favor**.

Consideration

Wherefore premises considered, the plaintiff prays that upon Proper Consideration, The conducts proper and adequate hearing in **which BOTH** the plaintiff and the defendants be present in the courtroom before judges at the end of which further action (or/and proceeding) be taking and render judgment into the plaintiff's favor and award him all the reliefs he did and he did not request as seems as just and right and proper and adequate and to meet the plaintiff NEEDS. **The plaintiff is further asserting that no further court order be rendered without the plaintiff presence in the courtroom .**

and that no other filings and rulings be done until the hearing and the ruling of this filing First. Failure to do so constitutes a plaintiff's motion to appoint New Judges.

Certificate of service: this is to certify that a true copy of the foregoing has been sent to the defendant attorney on May 7, 2002 via e-mail and via USPS regular mail paid on same day to the defendants attorney Mrs. Susan Schwartz/ Mark Robert at 6688 N Central Expway # 850 Dallas Texas 75206-3913 on the day of May7, 2002

Attached is a letter of urgency for fast forwarding

Respectfully and Kindly submitted to the Honorable Judges Sam Lindsey and MG Paul Stickney

Plaintiff Dr Jamal Elhaj-Chehade, pro-se (at this time) and IFP
5414 Cedar Springs# 806 Dallas, Texas 75235.

Plaintiff's e mail **heyjam7@yahoo.com**
Order is included.

